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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/573,042	03/22/2006	Tetsuya Yamashita	DK-US030515	8887
22919 7590 05/13/2008 GLOBAL IP COUNSELORS, LLP 1233 20TH STREET, NW, SUITE 700 WASHINGTON, DC 20036-2680				
EXAMINER				
KOSANOVIC, HELENA				
ART UNIT		PAPER NUMBER		
3749				
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

10/573,042

**Applicant(s)**

YAMASHITA ET AL.

**Examiner**

HELENA KOSANOVIC

**Art Unit**

3749

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 March 2006.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-20 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 22 March 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)  
3) ☒ Information Disclosure Statement(s) (PTO-8508)  
Paper No(s)/Mail Date 3/22/2006 4/14/08  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_  
5) ☐ Notice of Informal Patent Application  
6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Drawings***

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the clip 490 must be shown in a manner so ordinary skill in the art can understand how said clip is connected to the other parts shown on the drawing or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

1. Claim 14 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. In this case it is not clear how the clip 490 is connected to the other parts in order to hold the drive portion and temporarily fixing the drive portion, as claimed.

***Claim Rejections - 35 USC § 102***

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claim 1-9 and 15-19 rejected under 35 U.S.C. 102(b) as being anticipated by Lee 2002/0189274.

Lee teaches the invention as claimed:

Regarding claim 1, an indoor unit (fig. 1) of an air conditioner, comprising:  
a main body casing 10, (fig. 9A); a front grill 40 provided forward of the main body casing and having a first opening 51 (fig. 2); a first movable panel 50 (fig. 9A) configured to move so as to open and close the first opening; a drive portion 73, (fig. 9A) configured to generate a driving force to move the first movable panel; and an

opening and closing mechanism 43, 48 provided at the front grill and configured to move the first movable panel by the driving force of the drive portion to open and close the first opening.

Regarding claim 2, at least when mounting the front grill to the main body casing, the drive portion is provided in the main body casing (fig. 9A)

Regarding claim 3, the opening and closing mechanism includes a supporting member 72 (fig. 9A) mounted to the first movable panel to support the first movable panel.

Regarding claims 4 and 16, the opening and closing mechanism includes a speed reducing mechanism (unnumbered elements inside the element 18, fig. 9A) for transmitting the driving force of the drive portion to the first movable panel.

Regarding claims 5 and 17, the opening and closing mechanism includes a converting mechanism (unnumbered elements inside the element 18, fig. 9A) for converting a rotary motion transmitted from the drive portion to opening and closing movements of the first movable panel.

Regarding claims 6 and 18, the opening and closing mechanism includes a first opening and closing mechanism 48,( fig 9A) for moving one end of the first movable panel by the driving force of the drive portion and a second opening and closing mechanism (close to same element as first opening and closing mechanism, but on opposite side of the casing, close to element 41b, fig. 9B) for moving the other end of the first movable panel by the driving force of the drive portion.

Regarding claim 7, the first opening and closing mechanism and the second opening and closing mechanism each are formed as a unit (figs. 9A and 9B).

Regarding claim 8, the first opening and closing mechanism and the second opening and closing mechanism are provided such that they are respectively fixed to inner surfaces of left and right sides of the said front grill (fig. 9B).

Regarding claims 9 and 19, the opening and closing mechanism is configured so as to distribute the driving force from the drive portion to the first opening and closing mechanism (6-3-) and the second opening and closing mechanism (figs. 9A and 9B).

3. Claims 1, 10-13 and 20 rejected under 35 U.S.C. 102(b) as being anticipated by Seo 5,810,658.

Seo teaches:

Regarding claim 1, an indoor unit (fig. 4) of an air conditioner, comprising:  
a main body casing 1, (fig. 4); a front grill (fig. 5) provided forward of the main body casing and having a first opening (behind panel 29, figs. 5 and 6); a first movable panel 29 (fig. 6) configured to move so as to open and close the first opening; a drive portion 41, (fig. 5) configured to generate a driving force to move the first movable panel; and an opening and closing mechanism 45, 47 (fig. 6) provided at the front grill and configured to move the first movable panel by the driving force of the drive portion to open and close the first opening.

Regarding claims 10 and 20, the front grill further includes a second opening (behind the second panel 35, fig. 6 ),the indoor unit further includes a second movable panel (35) capable of moving so as to open and close the second opening, and the

opening and closing mechanism moves the first movable panel to open and close the first opening and also moves the second movable panel to open and close the second opening by the driving force of the drive portion (fig. 6)

Regarding claim 11, the main body casing includes a second gear (43, fig. 6) disposed so as to engage with a first gear (gears on opening closing mechanism 45 and 47, fig. 6) included in the opening and closing mechanism in a state in which the front grill is mounted to the main body casing, and configured to transmit the driving force of the drive portion to the opening and closing mechanism (fig. 6)

Regarding claim 12, the main body casing is provided with a control component (col. 4, ll. 15-25), the drive portion includes a motor 41 connected to the control component and configured to move the first movable panel, the main body casing includes a temporary fixing portion fixing (elements 6, 23a) for temporarily fixing the drive portion, and the front grill includes a fixing portion (unnumbered two screws on the side of the motor 41, fig. 5) for fixing the drive portion that is temporarily fixed.

Regarding claim 13, the drive portion is temporarily fixed with the temporary fixing portion such that the drive portion is capable of moving to a position where the drive portion is to be fixed with the fixing portion when the drive portion is fixed with the fixing portion (fig. 5).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Seo 5,810,658 in view of Lin 6,062,612.

Seo teaches the invention as discussed above but is not specific about a clip portion.

Lin teaches a clip portion 44 (fig. 1) for holding the drive portion 40 and temporarily fixing the driving portion.

It would have been obvious to one of ordinary skill in the art to have the Seo apparatus with the driving portion modified with the Lin clip portion 44 in order to retain the gear 43 (Seo reference) in the position (Lin, col. 3, ll. 30).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HELENA KOSANOVIC whose telephone number is (571)272-9059. The examiner can normally be reached on 8:30-5:00, Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steve McAllister can be reached on 571-272-6785. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/H. K./

Examiner, Art Unit 3749

050608

/Steven B. McAllister/

Supervisory Patent Examiner, Art Unit 3749